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**IN THE UNITED STATES DISTRICT COURT
 FOR THE DISTRICT OF NEVADA**

IN RE: WAL-MART WAGE AND HOUR)	MDL No. 1735
EMPLOYMENT PRACTICES)	2:06-cv-00225-PMP-PAL
LITIGATION)	(BASE FILE)

THIS DOCUMENT RELATES TO:)	STIPULATION REGARDING
ALL CASES)	STAY OF PROCEEDINGS

Plaintiffs and Defendants, by and through their undersigned lead counsel in these MDL proceedings, stipulate and agree to stay these proceedings pending approval of a final settlement reached among the parties. This stay is warranted to afford the Court and the

1 parties sufficient time to consider the settlement documents and conduct the proceedings
2 necessary to the class action settlement approval process.

3 1. These proceedings consist of thirty-five actions which have been consolidated
4 before this Court for pretrial proceedings pursuant to 28 U.S.C. § 1407.

5 2. On June 20, 2008, the Court denied class certification in the four First Phase
6 cases.

7 3. On June 30, 2008, Plaintiffs filed a Petition for Interlocutory Review of the
8 denial of class certification with the Ninth Circuit. Defendants responded to the Petition on
9 July 18, 2008. The Ninth Circuit has not yet decided whether or not it will accept the appeal.

10 4. On December 14, 2008, Lead Counsel for Plaintiffs and Lead Counsel for
11 Defendants executed a binding and confidential Term Sheet agreeing to settle all thirty-five
12 cases in this MDL proceeding, subject to approval of the settlement by Wal-Mart's Board of
13 Directors. The Term Sheet further provided that once the Board approved the settlement, the
14 parties would notify the Court of the settlement and seek to stay all proceedings other than
15 those necessary to effectuate the settlement.¹

16 5. The settlement has been approved by Wal-Mart's Board of Directors. The
17 parties are in the process of drafting the final settlement documents and preparing the required
18 submissions for the Court's consideration relative to obtaining preliminary approval of the
19 settlement. Accordingly, Lead Counsel for Plaintiffs and Lead Counsel for Defendants in
20 these MDL proceedings respectfully request that the Court stay all proceedings in all cases
21 that comprise MDL 1735 other than those necessary to the settlement approval process.

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26 ¹ The parties to the pending interlocutory appeal have informed the Ninth Circuit of the settlement and are
27 separately filing a motion with the Ninth Circuit seeking to stay Plaintiffs' pending interlocutory appeal and to
28 remand the matter to this Court for the purpose of effectuating the settlement.

6. The request set forth in this stipulation is made in good faith, in the interest of justice, and not for the purposes of delay.

Respectfully submitted this 2nd day of January, 2009.

CAROLYN BEASLEY BURTON

GREENBERG TRAURIG, LLP

/s/ Carolyn Beasley Burton

/s/ Naomi G. Beer

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IT IS SO ORDERED

By: _____
PHILIP M. PRO
Chief United States District Judge

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CERTIFICATE OF SERVICE

I, Molly Roll, declare under penalty of perjury that the following is true and correct:

I am a citizen of the United States; I am over the age of 18 years; I am employed by GREENBERG TRAURIG LLP, located at 1200 Seventeenth Street, Suite 2400, Denver, Colorado 80202, whose members are members of the State Bar of Colorado and at least one of whose members is a member of the Bar of each Federal District Court within Colorado; I am not a party to the within action; and that I caused to be served a true and correct copy of the following document in the manner indicated below:

1. STIPULATION REGARDING STAY OF PROCEEDINGS

2. CERTIFICATE OF SERVICE

X

By Electronic Filing: I served a true copy on this date of each document listed above on all parties registered for electronic filing in this action.

Executed on January 2, 2009, at Denver, Colorado.

/s/Molly Roll

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